

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

FELIPE FOWLKES,)
Plaintiff,) C.A. No. 05-11749-JLT
)
v.)
)
KATHLEEN M. DENNEHY, et al.,)
Defendants.)

**DEFENDANTS,¹ OPPOSITION TO PLAINTIFF'S MOTION
TO ENLARGE TIME TO FILE DEFINITE STATEMENTS**

Now come the defendants in the above-referenced matter and oppose plaintiff's Motion to Enlarge Time to File Definite Statements. The grounds for this Opposition are as follows:

1. On May 17, 2007, this Court issued an Order that plaintiff "shall file a brief chart which clarifies the Second Amended Complaint". See Court's Order of May 17, 2007.
2. Plaintiff requests more time to respond to this Court's Order because "[t]here are 22 or more defendants in the above-captioned civil action in which the court has required a more definite statement as to each of them, which under these circumstances requires more time for this plaintiff to prepare, copy, and file, than the Court has ordered". See Plaintiff's Motion to Enlarge Time to File Definite Statements.

¹ The Opposition to Plaintiff's Motion to Enlarge Time to File Definite Statements is being filed on behalf of the following defendants: Kathleen M. Dennehy, James R. Bender, Timothy Hall, John Marshall, Veronica Madden, Ronald T. Duval,; Kristie Ladouceur, Peter Pepe, David Nolan, Ann Marie Aucoin, Luis Spencer, Daniel Sullivan, Kimberly Kenny, Lois Russo, John Luongo, Darrin C. Payne, Karen Dinardo, Officer Pare, and Officer Dragone.

3. Plaintiff filed this action in August 2005, almost two years ago. Plaintiff should be able to clearly outline his claims against each defendant in the time allotted by the Court. Plaintiff's Second Amended Complaint is thirty-three (33) pages long, not including exhibits; plaintiff should know with particularity what his claims are against each defendant.
4. Plaintiff is seeking to delay this action. If plaintiff cannot state with particularity what his claims are against each defendant in the time allotted by this Court, then plaintiff's action should be dismissed.

WHEREFORE, the defendants respectfully request that this Court deny plaintiff's Motion to Enlarge Time to File Definite Statements.

Respectfully submitted,

DEFENDANTS,
By their attorney,

NANCY ANKERS WHITE
Special Assistant Attorney General

Date: June 14, 2007

/s/ Daryl F. Glazer
Daryl F. Glazer, Counsel
Department of Correction
Legal Division
70 Franklin Street, Suite 600
Boston, MA 02110-1300
(617) 727-3300, ext. 102
BBO #567138
Dfglazer@doc.state.ma.us